

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO.</b> _____
	:	
<b>v.</b>	:	<b>DATE FILED</b> _____
	:	
<b>SANTOS MENDEZ, a/k/a "Red Alert,"</b>	:	<b>VIOLATIONS: 21 U.S.C. § 846</b>
<b>a/k/a "Red," a/k/a "Julio C. Valentin,"</b>	:	<b>(Conspiracy to distribute and possess</b>
<b>a/k/a "Julio Cesar Monrroy"</b>	:	<b>with intent to distribute more than</b>
<b>JOSE A. MENDEZ, JR., a/k/a "Rambo,"</b>	:	<b>50 grams of "crack" cocaine, and more</b>
<b>a/k/a "Jose Valentine,"</b>	:	<b>than 1000 grams of heroin within 1000</b>
<b>ALEXANDRO PEREZ-ALICEA,</b>	:	<b>feet of a public school - 1 count);</b>
<b>a/k/a "Alex Perez,"</b>	:	<b>18 U.S.C. § 924(c)(1)</b>
<b>FRANK JUSTINIANO, a/k/a "Frankie,"</b>	:	<b>(Using or carrying a firearm during and</b>
<b>FRANCIS JUSTINIANO,</b>	:	<b>in relation to a drug trafficking crime -</b>
<b>LOUIS CORDERO, a/k/a "Louie,"</b>	:	<b>2 counts)</b>
<b>VICTOR MORALES ROSARIO,</b>	:	<b>18 U.S.C. § 922(g)(1)</b>
<b>a/k/a "Coco," and</b>	:	<b>(Possession of a firearm affecting</b>
<b>DANIEL RIVERA, a/k/a "Danny"</b>	:	<b>commerce by a convicted felon - 1 count)</b>

**INDICTMENT**

**COUNT ONE**

THE GRAND JURY CHARGES THAT:

1. From on or about a date unknown to the grand jury beginning at least as early as May 1998 to in or about January 2003, at Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

SANTOS MENDEZ, a/k/a "Red Alert," a/k/a "Red,"  
a/k/a "Julio C. Valentin," a/k/a Julio Cesar Monrroy,"  
JOSE A. MENDEZ, JR., a/k/a "Rambo," a/k/a "Jose Valentine,"  
ALEXANDRO PEREZ-ALICEA, a/k/a "Alex Perez,"  
FRANK JUSTINIANO, a/k/a "Frankie,"  
FRANCIS JUSTINIANO,  
LOUIS CORDERO, a/k/a "Louie,"  
VICTOR MORALES ROSARIO, a/k/a "Coco," and  
DANIEL RIVERA, a/k/a "Danny,"

conspired and agreed together and with others known and unknown to the grand jury, to knowingly and intentionally distribute and possess with intent to distribute controlled substances, that is: more than 50 grams of a mixture or substance containing a detectable amount of cocaine base (known as “crack”), a Schedule II controlled substance; and more than 1000 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance; and to knowingly and intentionally distribute and to possess with intent to distribute these controlled substances within 1000 feet of the real property comprising the Isaac A. Sheppard Elementary School, a public school, located at 120 West Cambria Street, Philadelphia, Pennsylvania; in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), and 860.

#### MANNER AND MEANS OF THE CONSPIRACY

2. It was part of the conspiracy that defendant SANTOS MENDEZ was the leader and organizer of a narcotics distribution enterprise that trafficked in both the wholesale and retail narcotics market in Philadelphia, Pennsylvania.

It was further part of the conspiracy that:

3. Defendants SANTOS MENDEZ, JOSE A. MENDEZ, Jr., ALEXANDRO PEREZ-ALICEA, FRANK JUSTINIANO, FRANCIS JUSTINIANO, LOUIS CORDERO, VICTOR MORALES ROSARIO, DANIEL RIVERA, and others prepared, possessed with intent to distribute and distributed heroin, “crack” cocaine base, powder cocaine, and marijuana to be sold in Philadelphia, Pennsylvania.

4. Defendant SANTOS MENDEZ maintained his authority and control over drug trafficking activity at the corners of Hope and Cambria Streets, and Front and Cambria

Streets, through a pattern of intimidation and violence, which included threats of injury and death, the use and discharge of firearms, and the parading of a hearse on the streets, in order to signify impending violence.

5. Defendants SANTOS MENDEZ, JOSE A. MENDEZ, Jr., and ALEXANDRO PEREZ-ALICEA were the leaders and organizers of drug trafficking activity in the organization, in that they controlled the distribution of controlled substances, and the collection of cash receipts from the sales of those controlled substances.

6. Defendants SANTOS MENDEZ and JOSE A. MENDEZ, JR. used, carried, distributed, and sold weapons, including firearms, to further the goals of their drug trafficking organization.

7. Defendant SANTOS MENDEZ collected payments from those who trafficked in controlled substances at the corners of Hope and Cambria Streets, and Front and Cambria Streets, as “rent,” in exchange for permission that SANTOS MENDEZ gave them to do so.

8. Defendant SANTOS MENDEZ and others used juveniles to sell heroin and “crack” cocaine base to buyers.

9. Defendants JOSE A. MENDEZ, Jr., ALEXANDRO PEREZ-ALICEA, FRANK JUSTINIANO, FRANCIS JUSTINIANO, LOUIS CORDERO, VICTOR MORALES ROSARIO, and DANIEL RIVERA supervised the distribution and sales of “crack” cocaine base and heroin, and the remitting of cash receipts from those sales to SANTOS MENDEZ, all within 1000 feet of the real property comprising the Isaac A. Sheppard Elementary School, a public school, located at 120 West Cambria Street, Philadelphia, Pennsylvania.

### **OVERT ACTS**

In furtherance of the conspiracy, and to accomplish its objects, the following overt acts, among others, were performed by at least one member of the conspiracy, in Philadelphia, in the Eastern District of Pennsylvania:

1. On or about August 31, 2000, defendant SANTOS MENDEZ sold to a person known to the grand jury 12 bundles of heroin, weighing approximately 8.3 grams, in exchange for \$1,300, in the area of Front and Cambria Streets.

2. On or about September 26, 2000, defendant SANTOS MENDEZ and others sold to a person known to the grand jury 30 bundles of heroin, weighing approximately 15.6 grams, in exchange for \$3,000, in the area of Hope and Cambria Streets, and elsewhere.

3. On or about November 14, 2000, defendants SANTOS MENDEZ and JOSE MENDEZ, JR. sold to a person known to the grand jury approximately one ounce (weighing approximately 27.6 grams) of “crack” cocaine base, in exchange for \$900, in the area of Front and Cambria Streets.

4. On or about February 22, 2001, defendants SANTOS MENDEZ and JOSE MENDEZ, JR. sold to a person known to the grand jury 5 bundles of heroin, weighing approximately 2.4 grams, in exchange for \$500.

5. On or about March 8, 2001, defendants SANTOS MENDEZ and JOSE MENDEZ, JR. sold to a person known to the grand jury approximately one ounce (weighing approximately 27.1 grams) of “crack” cocaine base, in exchange for \$950.

6. On or about March 8, 2001, defendants SANTOS MENDEZ and JOSE MENDEZ, JR. sold to a person known to the grand jury a firearm, that is, a SigSauer .380 caliber

semi-automatic handgun, in exchange for \$500.

7. On or about August 30, 2001, defendant JOSE MENDEZ, JR. sold to a person known to the grand jury approximately one ounce (weighing approximately 27.9 grams) of “crack” cocaine base, in exchange for \$950.

8. On or about January 31, 2002, defendant JOSE MENDEZ, JR. sold to a person known to the grand jury 30 bundles of heroin, weighing approximately 14.5 grams.

9. On or about January 31, 2002, defendant JOSE MENDEZ, JR. sold to a person known to the grand jury a firearm, that is, a .40 caliber handgun.

10. On or about January 14, 2003, defendant SANTOS MENDEZ directed a juvenile to sell to an undercover police officer, two bags of heroin, in exchange for \$20.

11. On or about January 29, 2003, defendant SANTOS MENDEZ sold 9 bags of heroin to two undercover police officers, in exchange for \$90.

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO**

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 8, 2001, at Philadelphia, in the Eastern District of  
Pennsylvania, defendants

SANTOS MENDEZ, a/k/a "Red Alert," a/k/a "Red,"  
a/k/a "Julio C. Valentin," a/k/a Julio Cesar Monrroy," and  
JOSE A. MENDEZ, JR., a/k/a "Rambo," a/k/a "Jose Valentine,"

knowingly used, and carried, and aided and abetted the use and carrying, of a firearm, that is, a  
SigSauer .380 caliber handgun, bearing serial number S015560, during and in relation to a drug  
trafficking crime for which they may be prosecuted in a Court of the United States, that is,  
conspiracy to distribute and to possess with intent to distribute controlled substances, in violation  
of Title 21, United States Code, Section 846, as charged in Count One of this indictment.

In violation of Title 18, United States Code, Sections 924(c)(1), and 2.

**COUNT THREE**

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 31, 2002, at Philadelphia, in the Eastern District of Pennsylvania, defendant

JOSE A. MENDEZ, JR., a/k/a “Rambo,” a/k/a “Jose Valentine,”

knowingly used, and carried, a firearm, that is, a Smith & Wesson .40 caliber semi-automatic handgun, bearing serial number PBD3868, during and in relation to a drug trafficking crime for which he may be prosecuted in a Court of the United States, that is, conspiracy to distribute and to possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 846, as charged in Count One of this indictment.

In violation of Title 18, United States Code, Section 924(c)(1).

**COUNT FOUR**

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 8, 2001, at Philadelphia, in the Eastern District of  
Pennsylvania, defendants

SANTOS MENDEZ, a/k/a “Red Alert” a/k/a “Red”  
a/k/a “Julio C. Valentin” a/k/a Julio Cesar Monroy,” and  
JOSE A. MENDEZ, JR., a/k/a “Rambo” a/k/a “Jose Valentine,”

each having been convicted in a court of the Commonwealth of Pennsylvania of a crime  
punishable by imprisonment for a term exceeding one year, knowingly possessed, and aided and  
abetted the possession of, in and affecting interstate and foreign commerce, a firearm, that is, a  
SigSauer .380 caliber handgun, bearing serial number S015560.

In violation of Title 18, United States Code, Sections 922(g)(1) and 2.



### **NOTICE OF FORFEITURE**

A. As a result of violations of Title 21, United States Code, Sections 841(a)(1) and 846 set forth in Count One of this Indictment, the defendant,

SANTOS MENDEZ, a/k/a “Red Alert” a/k/a “Red”  
a/k/a “Julio C. Valentin” a/k/a Julio Cesar Monrroy,” and

shall forfeit to the United States under Title 21, United States Code, Section 853:

1. Any and all real or personal property constituting, or derived from, any proceeds obtained directly or indirectly as a result of the violations of Title 21, United States Code as charged in this Indictment, including but not limited to the sum of \$3,000,000.00.

2. Any and all real or personal property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violations of Title 21, United States Code as charged in this Indictment.

B. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 21, United States Code, Section 853.

A TRUE BILL:

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FOREPERSON

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PATRICK L. MEEHAN  
United States Attorney